

FORM PTO/1390 (Modified)
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES

TER-004.2P

DESIGNATED/ELECTED OFFICE (DO/EO/US)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

CONCERNING A FILING UNDER 35 U.S.C. 371

09/214158

INTERNATIONAL APPLICATION NO.

PCT/US97/03984

INTERNATIONAL FILING DATE

12 MARCH 1997 (12.03.97)

PRIORITY DATE CLAIMED

12 MARCH 1997 (12.03.97)

TITLE OF INVENTION

DATA TRANSMISSION USING ATM OVER HYBRID FIBER COAX

APPLICANT(S) FOR DO/EO/US

FURHMANN, AMIR MICHAEL; RAKIB, SELIM SHLOMO; AZENKOT, YEHUDA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ Other items or information:

I hereby certify that this correspondence as being deposited with the United States Postal Service as express mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C., 20231, on 12/23/97
19 98 Express Mail Receipt No. EM 429 087 494 US

12/23/98
Date of Signature

Ronald C. Fink

19. The following fees are submitted.

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

Search Report has been prepared by the EPO or JPO	\$420 \$910.00
International preliminary examination fee paid to USPTO (37 CFR 1.482)	48.00 \$700.00
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))	760 \$770.00
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO	970 \$1,040.00
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	48.00 \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =
\$65

Surcharge of ~~\$130.00~~ for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). ☐ 20 ☒ 30

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	30 - 20 =	10	x \$22.00 ⁹	\$90 \$0.00
Independent claims	13 - 3 =	10	x \$80.00 ³⁹	\$390 \$0.00
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$593 \$0.00
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>				N/A \$0.00
SUBTOTAL =				\$593 \$0.00
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 +				N/A \$0.00
TOTAL NATIONAL FEE =				\$593 \$0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				N/A \$0.00
TOTAL FEES ENCLOSED =				\$593 \$0.00
				Amount to be: refunded \$
				charged \$

CALCULATIONS PTO USE ONLY

- ☒ A check in the amount of \$593 to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 09-0932 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE

RONALD C. FISH
 NAME

28,843
 REGISTRATION NUMBER

12/23/98
 DATE